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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CRL.M.C. 153/2026

ASHOK & ORS.

.....Petitioners

Through: Mr. Mithilesh Kumar Pathak,
Advocate with petitioners in person.

versus

GOVT OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Satish Kumar, APP with Ms.
Upasna Bakshi, Advocate with SI
Sameer, PS: Swaroop Nagar
Mr. Parvez Haider, Advocate for R-
2 with R-2 in person.

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

08.01.2026

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1. By virtue of the present petition under *Section 528* of the Bharatiya Nagarik Suraksha Sanhita, 2023 (**BNSS**) (*erstwhile Section 482* of the Code of Criminal Procedure, 1973), the petitioners seek quashing of FIR No.35/2015 dated 17.01.2015 registered under *Sections 498A/406* of the Indian Penal Code, 1860 (**IPC**) at PS: Swaroop Nagar, Delhi and all proceedings emanating therefrom on the ground that the parties have settled their disputes and are now residing together at their matrimonial home, as recorded in the Memorandum of Understanding dated 05.12.2025.

2. The present petition is also accompanied by the said Memorandum of Understanding dated 05.12.2025 [**Annexure-P-2 (Colly.)**], as well as is supported by affidavits of all the petitioners and of respondent no.2,



alongwith their respective proofs of identity.

3. Issue notice.

4. Learned APP for the State accepts notice and confirms that he has no objection to the quashing of the FIR No.35/2015 dated 17.01.2015.

5. Respondent no.2, present in Court, also accepts notice and confirms that she has settled all her disputes with the petitioners *vide* Memorandum of Understanding dated 05.12.2025 and that she is now residing with the petitioner no.1 at her matrimonial home. She further states that in view of her having no grievances left against the petitioners, she does not wish to pursue the present proceedings and has already withdrawn all other pending litigations against the petitioners. She states that she has no objection to the quashing of the FIR No.35/2015 dated 17.01.2015.

6. The petitioners and the respondent no.2, present in Court, as well as their credentials, as on record, have been identified by the Investigation Officer.

7. In view of the fact that all disputes have been reconciled between the petitioner no.1 and the respondent no.2, for maintenance of peace and harmony between the parties and for the well-being of the minor children born out of the wedlock between the petitioner no.1 and respondent no.2, following the law laid down by the Hon'ble Supreme Court in ***Jitendra Raghuwanshi & Ors. vs. Babita Raguvanshi & Anr. (2013) 4 SCC 58, Gian Singh vs. State of Punjab & Anr. (2012) 10 SCC 303***, this Court is of the opinion that continuation of the aforesaid FIR will be an exercise in futility.

8. Accordingly, the present petition is allowed and FIR No.35/2015 dated 17.01.2015 registered under *Sections 498A/406* of the IPC at PS:



Swaroop Nagar, Delhi and all proceedings emanating therefrom are quashed.

9. Accordingly, the present petition is disposed of.

SAURABH BANERJEE, J

JANUARY 8, 2026/So